International Seabed Authority ISBA/21/LTC/9

Legal and Technical Commission

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Implementation of the environmental management plan for the Clarion-Clipperton Fracture Zone and development of other environmental management plans in the Area

Note by the secretariat

I. Background

1. At the twentieth session of the Authority, in 2014, the Council encouraged the secretariat and the Legal and Technical Commission to continue their work, up to and beyond 2015, on the implementation of the environmental management plan for the Clarion-Clipperton Fracture Zone (see ISBA/20/C/31). The Council encouraged the Commission to consider developing environmental management plans in other international seabed area zones, in particular where there were currently exploration contracts, in line with the suggestion made by the General Assembly in paragraph 51 of its resolution 68/70. The Assembly of the Authority, at its twentieth session, also took note of the invitation by the General Assembly and noted the importance of giving priority to the development of such environmental management plans within the work programme of the Authority.

2. The invitation to the Authority to consider the development of environmental management plans for regions and areas where there are currently exploration contracts was reiterated in paragraph 51 of resolution 69/245 of the General Assembly. In that regard, in his statement regarding the resolution, the Secretary-General of the Authority recalled the clear commitment of Member States to building upon the work done by the Authority in connection with the environmental management plan for the Clarion-Clipperton Fracture Zone. He also made reference to discussions regarding preparatory work on a strategic environmental assessment for the Mid-Atlantic Ridge, taking into account data availability and standardization, in cooperation with other sponsoring Governments and organizations.

3. The present note provides information on existing and future environmental management plans in the Area.

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II. Implementation of the environmental management plan for the Clarion-Clipperton Fracture Zone

4. The environmental management plan for the Clarion-Clipperton Fracture Zone was approved by the Council in 2012 for an initial period of three years (see ISBA/18/C/22), on the basis of a proposal submitted by the Commission (see ISBA/17/LTC/7). The plan includes the establishment of nine areas of particular environmental interest intended to protect the biodiversity and ecosystem structure and functioning of the Zone from the potential impacts of seabed mining. This constitutes a management measure that gives effect to the environmental responsibilities of the Authority and its contractors. According to the decision of the Council by which the plan was approved, the Commission is to report to the Council on the implementation of the plan. The Commission is also to make any recommendations, where appropriate, to the Council relating to the network of areas of particular environmental interest, on the basis of the results of workshops, with a view to redefining, where necessary, the details of the size, location and number of such areas.

5. The Commission held an open session on 15 July 2014 to review the status of implementation of the plan. It was provided with a preliminary report. A number of recommendations were made, including the development of a robust database, the development of collaboration with research projects and the convening in 2015 of a workshop on the implementation of the plan, including the establishment of guidelines for impact and preservation reference zones with the aim of carrying out a strategic environmental assessment of the Zone at the regional scale. The Commission noted that most of the recommendations could be taken into consideration when preparing for the proposed review workshop and the next phase of implementation of the plan.

6. The rationale for a progressive implementation of the plan is to allow its improvement as more scientific, technical and environmental baseline and resource assessment data become available. Since the previous session, in July 2014, the efforts of the secretariat have been directed towards suppliers of data, such as contractors, the scientific community and international and regional bodies. The secretariat has contacted the secretariat of the Convention on Biological Diversity regarding data gathered during the process of identification of ecologically or biologically significant marine areas. The secretariat will continue to increase its cooperation with the secretariat of the Convention and will develop contacts with other bodies and organizations.

7. Some of the difficulties that arise in respect of the implementation of the plan relate to the current lack of a comprehensive environmental database with raw tabular data, given that such data are essential for the assessment of potential cumulative and regional impacts on the marine environment. The Commission will be provided with an update on the secretariat's efforts to develop such a database at its next session.

8. The work programme of the Authority envisages that a workshop to review the implementation of the plan will be convened before the twenty-second session, in 2016. To assist the Commission in formulating appropriate recommendations to the Council regarding such a workshop and on the implementation of the plan more generally, including, if appropriate, the review of the network of areas of particular

environmental interest and the possible use of such areas as preservation reference zones, the secretariat will report further to the Commission in July 2015.

III. Proposed development of an environmental management plan for the Mid-Atlantic Ridge

9. The Atlantic Ocean, in particular the area around the Mid-Atlantic Ridge, is an area of growing interest in relation to seabed minerals and their associated ecosystems. The Authority has granted two contracts for exploration for polymetallic sulphides along the Mid-Atlantic Ridge south of the Azores. They have been issued to the Institut français de recherche pour l'exploitation de la mer, sponsored by France, and to the Government of the Russian Federation. A plan of work for exploration for cobalt-rich ferromanganese crusts on the Rio Grande Rise by Companhia de Pesquisa de Recursos Minerais S.A., sponsored by Brazil, was approved by the Council in July 2014. Brazil is also prospecting for seabed minerals within its exclusive economic zone. In areas under national jurisdiction in the Azores, Nautilus Minerals Inc. has applied for exploration permits in relation to deposits of polymetallic sulphides. Norway is assessing potentially recoverable minerals on its continental shelf. In addition, several other States have conducted marine scientific research or have been prospecting for minerals on the Mid-Atlantic Ridge.

10. The growing interest in seabed minerals in the region makes the need for an environmental management plan more urgent. The regional government of the Azores (Portugal) has recently taken the initiative to convene an expert workshop to initiate a scientific and technical process to explore the possibility of developing such a plan, covering the Mid-Atlantic Ridge and cross-jurisdictional areas. Given the importance of developing such plans in the context of the work programme of the Authority and the resolutions of the General Assembly, the Authority has been invited to co-sponsor and participate in the workshop.

11. The workshop is scheduled to be held in Horta, on the island of Faial in the Azores, from 1 to 3 June 2015. Participants are expected to be the main management bodies, including the Authority, exploration contractors with the Authority, prospectors and coastal States of the Mid-Atlantic Ridge, along with scientists from various disciplines. The objectives of the workshop are to identify elements for an environmental management plan for deep-seabed mineral exploration and exploitation along the Mid-Atlantic Ridge, specifically:

(a) To gather and review the adequacy of available baseline information, including the location of sensitive deep-sea habitats and ecosystems;

(b) To identify gaps in the baseline information and solutions to fill them;

(c) To review related policy and legislation at the national, regional and international levels;

(d) To define operational and management principles and objectives for an environmental management plan;

(e) To identify the nature, distribution and intensity of impacts from human activities, including from mining;

(f) To agree upon a road map for the development of an environmental management plan and the strategic aims and goals of such a plan.

IV. Recommendations

12. The Commission is invited to take note of the present note and to provide such direction as may be necessary to assist in the implementation of the environmental management plan for the Clarion-Clipperton Fracture Zone and in the development of an environmental management plan for the Mid-Atlantic Ridge.